

Mayor  
Lioneld  
Jordan

City  
Attorney Kit  
Williams

City Clerk  
Sondra  
Smith



#### **Aldermen**

Ward 1 Position  
1 – Adella Gray  
Ward 1 Position  
2 – Brenda  
Boudreaux  
Ward 2 Position  
1 – Mark Kinion  
Ward 2 Position  
2 – Matthew  
Petty  
Ward 3 Position  
1 – Justin  
Tennant  
Ward 3 Position  
2 – Robert  
Ferrell  
Ward 4 Position  
1 – Rhonda  
Adams  
Ward 4 Position  
2 – Sarah Lewis

## **Final Agenda City of Fayetteville Arkansas City Council Meeting December 6, 2011**

A meeting of the Fayetteville City Council will be held on December 6, 2011 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

### **Call to Order**

### **Roll Call**

### **Pledge of Allegiance**

### **Mayor's Announcements, Proclamations and Recognitions:**

### **City Council Meeting Presentations, Reports and Discussion Items:**

#### **1. Quarterly Financial Report - Paul Becker**

### **Agenda Additions:**

## **A. Consent:**

1. Approval of the November 15, 2011 City Council meeting minutes.
2. Animal Services Division Donation: A resolution approving a budget adjustment in the amount of \$20,000.00 representing donation revenue to the Animal Services Division by the estate of Susannah A. Porter and expressing gratitude for the bequest.

### Animal Services Division Donation

3. Premier Lighting Group: A resolution to award a bid for 37 LED light fixtures and poles from Premier Lighting Group in the amount of \$70,661.00.

### Premier Lighting Group

### Additional: Premier Lighting Group

4. KME Renegade Pumper Fire Truck: A resolution to approve a budget adjustment to reflect \$28,550.00 for revenue received because of the sale of a 1997 KME Renegade Pumper Fire Truck.

### KME Renegade Pumper Fire Truck

5. State and Federal Forfeiture Revenue: A resolution approving a budget adjustment to recognize state and federal forfeiture revenue and to approve expenditures therefrom, in the amount of \$372,107.00.

### State and Federal Forfeiture Revenue

6. Fayetteville Police Department Donation Revenue: A resolution approving a budget adjustment in the amount of \$235.00 to recognize donation revenue to the Fayetteville Police Department in support of general recognition and officer service awards.

### Fayetteville Police Department Donation Revenue

7. Mullins Branch Stream Restoration Task Order No. 3: A resolution to approve Task Order No. 3, Mullins Branch Stream Restoration to the August 3, 2010 Memorandum of Understanding between the City and the Watershed Conservation Resource Center and to approve a Memorandum of Understanding between the City, University and Resource Center for the project which will cost the City \$25,000.00.

### Mullins Branch Stream Restoration Task Order No. 3

### Additional: Mullins Branch Stream Restoration Task Order No. 3

8. Richard L. Watson Settlement Agreement: A resolution approving a settlement agreement with Richard L. Watson, concerning condemnation litigation filed as part of the Cato Springs Road Improvement Project, in the total amount of \$9,000.00.

### Richard L. Watson Settlement Agreement

9. FEMA Reimbursement: A resolution to approve the attached budget adjustment to reimburse city divisions for expenditures caused by the spring flood and reimbursed by FEMA and/or the State of Arkansas.

FEMA Reimbursement

10. Midtown Alley: A resolution to name the alley that runs from Dickson Street south toward Center Street between School Avenue and Locust Avenue for 911 purposes "Midtown Alley."

Midtown Alley

11. Pick-It Construction, Inc.: A resolution to approve a contract between the City of Fayetteville and Pick-It Construction, Inc. in the amount of not-to-exceed \$111,054.00 for construction of dugouts and bleacher covers at Walker Park and to approve a budget adjustment of \$16,419.00.

Pick-It Construction, Inc.

**B. Unfinished Business:**

1. 2012 Annual Budget and Work Program: A resolution adopting the 2012 Annual Budget and Work Program. This resolution was tabled at the November 15, 2011 City Council meeting to the December 6, 2011 City Council meeting.

2012 Annual Budget and Work Program

2. ADM 11-3782 Cottage House Development: An ordinance to enact §164.22 Cottage Housing Development into the Unified Development Code, to amend §162.01 to add (RR) Unit 44 Cottage Housing Development and to amend Chapter 161 Zoning District to authorize Cottage Housing Developments as a right in multi-family residential districts and as a conditional use in single family residential districts. This ordinance was left on the Second Reading at the November 15, 2011 City Council meeting. Left on the Second Reading

ADM 11-3782 Cottage House Development

**C. Public Hearing:**

1. Green Cab Company: A resolution to approve a certificate of Public Convenience and Necessity for the Green Cab Company to operate within the City of Fayetteville.

Green Cab Company

Additional: Green Cab Company

**D. New Business:**

1. Amend §94.05 Use of Fireworks: An ordinance to Amend §94.05 Use of Fireworks of the Fayetteville Code by amending (F) to replace "First Night" with "Last Night".

Amend §94.05 Use of Fireworks

2. RZN 11-3960 (1730 N. Old Wire Road) Appeal: An ordinance rezoning that property described in rezoning petition RZN 11-3960, for approximately 8.60 acres, located at 1730 North Old Wire Road from RSF-4, Residential Single-Family, 4 units per acre to NC, Neighborhood Conservation, subject to a Bill of Assurance.

RZN 11-3960 (1730 N. Old Wire Road) Appeal

Additional: RZN 11-3960 (1730 N. Old Wire Road) Appeal

3. Hilton Garden Inn Tree Preservation Area Modification: A resolution to vacate about one-tenth of an acre of a tree preservation easement to be mitigated by the planting of 29 large species trees and developing the lot utilizing low impact development standards.

Hilton Garden Inn Tree Preservation Area Modification

4. Bellafont Gardens Tree Preservation Area Modification: A resolution to approve a modification of the tree preservation area in the Bellafont Gardens development to shift about one-half acre of tree preservation area from Lot 1 to Lot 4.

Bellafont Gardens Tree Preservation Area Modification

5. ADM 11-3994 (Forest Hills R-PZD Amendment No. 1): An ordinance amending a Residential Planned Zoning District entitled R-PZD 07-2793 Forest Hills to revise the concept plan and zoning criteria for Planning Area Three, reducing the number of dwelling units from 354 units to 240 units.

ADM 11-3994 (Forest Hills R-PZD Amendment No. 1)

6. Repeal and Replace §34.27 Sale of Municipally Owned Real Property: An ordinance to repeal §34.27 of the Code of Fayetteville and to enact a replacement §34.27 Sale of Municipally Owned Real Property of the Code of Fayetteville and to enact an emergency clause.

Repeal and Replace §34.27 Sale of Municipally Owned Real Property

Additional: Repeal and Replace §34.27 Sale of Municipally Owned Real Property

7. Springdale Water and Sewer Commission Easement: A resolution to approve the sale of a permanent water/sewer easement of 0.383 acres and a temporary construction easement adjoining the permanent water/sewer easement along Highway 265 to the Springdale Water and Sewer Commission for \$3,000.00.

Springdale Water and Sewer Commission Easement

8. Amend Chapter 92: An ordinance amending Section 92.01 Definitions, repealing and replacing Section 92.20 Annual License and Tag, amending Section 92.24 Redemption of Animals, repealing Section 92.33 Animal Hobbyist Permit of Chapter 92: Animals of the Code of Fayetteville to remove animal licensing requirements and enact animal

microchipping requirements, and providing for an effective date.

Amend Chapter 92

Additional: Amend Chapter 92

9. Amend §50.40 Rates for Services: An ordinance to amend §50.40 Rates for Services of the Fayetteville Code by enacting a new subsection (B)(6) to charge \$.95 per month per multi-family unit for recycling services when offered.

Amend §50.40 Rates for Services

10. Northwest Arkansas Economic Development District: An ordinance waiving the requirements of formal competitive bidding and approving a contract between the City of Fayetteville, Arkansas and the Northwest Arkansas Economic Development District in the amount of \$53,350.00 to provide public recreation services for the senior citizens of Fayetteville for 2012.

Northwest Arkansas Economic Development District

11. Fayetteville Youth Center, Inc.: An ordinance waiving the requirements of formal competitive bidding and approving a contract between the City of Fayetteville, Arkansas and the Fayetteville Youth Center, Inc. in the amount of \$205,350.00 to provide public recreation services for the youth and citizens of Fayetteville for 2012.

Fayetteville Youth Center, Inc.

**Announcements:**

**Adjournment:**